

FARMINGTON CITY – CITY COUNCIL MINUTES

JANUARY 5, 2021

WORK SESSION

Physically present in Council Chambers: Mayor Jim Talbot; City Manager Shane Pace; City Councilmembers Brett Anderson, Scott Isaacson, Shawn Beus, Amy Shumway, and Rebecca Wayment; City Recorder Heidi Bouck; Community Development Director Dave Petersen; Planning and GIS Specialist Shannon Hansell; Assistant City Manager/Economic Development Director Brigham Mellor; and Finance Director Greg Davis.

Mayor **Jim Talbot** called the work session to order at 6:00 p.m. Councilman **Brett Anderson** offered the invocation.

UTOPIA PRESENTATION

The work session was held to consider a presentation made by UTOPIA. City Manager **Shane Pace** said some things have changed since the Council heard from UTOPIA two years ago. Farmington has struggles with existing Internet providers. An advantage for Farmington is that UTOPIA is already in the community and being currently used by businesses, City Hall, Parks and Recreation building, and Public Works building. The possibilities are now more financially feasible.

Roger Timmerman, the executive director of UTOPIA, and **Joshua Chandler**, general counsel and local government expert for UTOPIA, addressed the Council. **Timmerman** said he is not trying to sell something to Farmington, as UTOPIA is a government entity partnering with other cities. If UTOPIA fiber is installed, it would be a public asset at the end of the day managed day-to-day by UTOPIA. Recent city partnerships have been successful, mutually beneficial and practical compared to the 2002 version of UTOPIA. Customer voluntary subscriptions have helped pay for the fiber in other cities. They are not an anti-competitive over reach of government, but rather an enabler of private sector competition. They partner with 13 local companies that want to do business in Farmington and need the infrastructure to do so. UTOPIA charges \$30 a month to residential homes for connection to fiber, which helps finance the project. Service providers charge their own rates on top of that, around \$35 a month. The slowest Internet connection is 250mb, and the 10gb is the fastest option in the country for \$200 a month. With online education, streaming entertainment, people working from home, telehealth, etc., this is needed more than in times past. These are now critical needs in the community.

UTOPIA has air quality monitoring sensors on their buildings. They provide wifi in parks, water monitoring, and thermal imaging for wildfire detection. With 35,000 subscribers in Utah, UTOPIA is the top choice for broadband providers in the state according to customer service surveys and ratings, and demand is increasing. In areas where UTOPIA fiber has been available for two years, the take-rate system wide is an average of 33 percent.

The agreement structure includes UIA (UTOPIA phase 2) bonding for the project with no city debt. It is turnkey from the City's perspective. It does require a financing guarantee from the

City and a 40 percent take-rate guarantee that would help finance the project. **Timmerman** said this is very achievable in Farmington, where he thinks rates will be closer to 45 percent. Current subscriptions, such as the City's at City Hall, will go toward that 40 percent. However, past business subscriptions cannot be counted toward that, only new businesses.

Assistant City Manager/Economic Development Director **Brigham Mellor** said the City is standing on the precipice of 350 acres of development coming into the community, most of it commercial associated with the North Farmington Station business park. That has the potential to eat into the take rate substantially.

Timmerman said new development, including commercial and residential, will help go toward the take rate obligation. The net benefit to the community is huge, even if it ends up costing the City. Bringing in competitive options made possible by fiber saves the average household \$27 per month. Property values increase; net neutrality allows no disputes over prioritization; and quality of life increases.

UTOPIA needs up to seven months to design and build the project before the first area can start signing up. The financial obligation (determined by the take rate) doesn't start for two years. The revenues collected in those first two years are banked to buffer against any risk of shortfall. Interest rates for municipal bonds are currently excellent. The term is 25 years. The second half of Layton was a \$23 million project, and subscriptions are still growing. Payson already hit their target take rate, when it wasn't expected until summer of 2022. They were a year early. Morgan City is trending way ahead of schedule for take rates. UIA has \$230 million aggregate of projects. A contract can be approached from an interlocal agreement perspective, or as a response to a Request For Proposal.

As the City itself will not be going into debt, there is no public hearing required. UTOPIA is the government entity going into debt. Contractually, they would have to have the project done in two years. The first sign-ups could start in 6 to 8 months, with the last 18 months after the contract is signed.

Pace said this is night and day from the original UTOPIA. If you want a total build out of the community in a decent time period, this is a good model. The biggest complaints heard from residents is that in a lot of areas of Farmington, residents are limited to only one Internet service provider. Wireless has helped fill in some gaps. However, all wireless are tied to a system and have limited capacities. The proposal for Farmington is \$15 million, not \$22 million to \$23 million. Kaysville proposed their own system with their electric utility fund to run it through. However, it didn't pass a vote and required major commitments from the public. If Farmington didn't reach the take rate, they would have to back the bonds used to finance the project. He doesn't think a 27 percent take rate will be hard to get, as Farmington is a wealthy community compared to the others that have a 45 percent take rate. Complaints will be that government shouldn't compete with the private sector. However, UTOPIA has collected a huge selection of internet service providers to choose from. Currently, Farmington residents only have one or two options to use for online education and working from home. As a Council, it comes down to if

they want to back those bonds, and if they are fine with the model of competing with the private sector.

Pace was a founding board member of UTOPIA. When he worked with Sandy, that city pulled out with the talk of a 60 percent take rate. He is glad they pulled out, as it would have meant a \$3 million a year payment over the last 15 years to make up the difference. Timing is good to enter into a UTOPIA agreement with the possibility of the business park wanting access to fiber.

Mayor Talbot said if the City is going to guarantee the financing of the bonds, he would want the public to know about it first and vote. **Timmerman** said that could be done on a ballot or with town halls and hearings. **Mayor Talbot** said it could go on the November ballot during a regular election, not a special election. He would rather carry it out after voters approved it. He would also like to know the issues why it didn't pass in Kaysville. He would like to have future discussions with Councilmembers as well as UTOPIA in the future. He feels it may be difficult to install on the east side of the City compared to the west side. Councilman **Shawn Beus** asked for a copy of the presentation that was made.

REGULAR SESSION

Physically present in Council Chambers: Mayor Jim Talbot; City Manager Shane Pace; City Councilmembers Brett Anderson, Scott Isaacson, Shawn Beus, Amy Shumway, and Rebecca Wayment; City Recorder Heidi Bouck; Community Development Director Dave Petersen; Planning and GIS Specialist Shannon Hansell; and Finance Director Greg Davis.

Joining via Zoom: City Attorney Todd Godfrey.

CALL TO ORDER:

Mayor **Jim Talbot** called the meeting to order at 7:00 p.m.

Roll Call (Opening Comments/Invocation/Pledge of Allegiance)

Councilwoman **Rebecca Wayment** offered the invocation, and the Pledge of Allegiance was led by City Manager **Shane Pace**.

PRESENTATIONS:

Presentation of Outgoing Commission Members

Mayor Talbot expressed his appreciation for outgoing Planning Commission members **Russ Workman** and **Roger Child**, presenting them with plaques commemorating their service.

Child has been a Farmington resident for 28 years. He convinced five of his siblings to move here as well. He first started as a Planning Commissioner in 2017, serving as chairman in 2020. His background is in real estate and planning. He will graduate from the University of Utah this semester with a PhD in planning and urban economics. He works for the Church of Jesus Christ of Latter-day Saints in their investment properties department and urban economics assisting with temple site acquisitions. He likes to hike in his spare time. He is the father of five and husband of Lori. **Child** addressed the Council. He said his service on the Commission has been a great experience. He said the City is well managed fiscally with professional staff and elected officials.

Workman has been a resident over 25 years. He served on the Commission from 2018 to 2020. He is an attorney and obtained his doctorate and law degree from the University of Utah. He participates in local sporting programs with his children and grandchildren. He is the father of four sons and one daughter, and grandfather of 9.5 grandchildren.

Mayor Talbot also extended his appreciation to **Inger Erickson** for her service this last year as an alternate Planning Commission member.

PUBLIC HEARINGS:

General Plan Amendment/Zone Change – Montserrat Townhomes

Mayor Talbot said this public hearing was re-noticed due to a mistake in the date reference on the first notice.

Community Development Director **Dave Petersen** presented this agenda item. The Planning Commission considered this item at their meeting November 19, 2020, and they recommended denying the rezone and request to change the general land use plan. When the Planning Commission reviews a zone change, they look at three things in the ordinance. The one they paid attention to was the third one: if it was consistent with the General Plan. This is located kitty corner from Russon Brothers Mortuary, directly west of the new dental office, and south of the white church on the bluff. The past Council decided that the Neighborhood Mixed Use (NMU) zone should be centered more on the other side of 1075 West. Even though this area is close to an interchange, it transitions into low density residential very quickly.

Developer **Joey Green** addressed the Council. He understood that the Planning Commission denied the request because giving a rezone would not be appropriate unless it was tied to a Planned Unit Development (PUD) to control what is built there in the future. He and the land owner understand that it is not an inappropriate use, if densities are adjusted. It is possible they asked for the wrong zoning. He is willing to do this a different way to only put on the property what he is proposing.

He grew up in Farmington, and his family has had land in the City since 1974. They would like to work with the City for something that is reasonable on this property. These would be owner-occupied units with an up to \$1,700 monthly mortgage payment located in a transitional area conducive to the General Plan. The state is underdeveloped by 50,000 residential units as of October and is falling further behind. The Oakridge townhomes are 200 yards to the west of this property. This is an affordable housing product that is lacking and high in demand. There are good views and significant setbacks available on this property (140 feet to the south, and 55 feet to the west).

They thought that 10 units would be reasonable because of comparables. To the south there are a lot of homes that sit on 0.1 acre lots. Also, there are Brownstone townhomes near the post office that are similar to the proposed townhomes with residential surrounding it and 18 units per acre. On 50 South, there are 12 units per acre. Down next to **Jerry Wood**'s property on the frontage road there are 10 units per acre. With the property in question, he feels there could be as much as 14 units, but the applicant felt better proposing 10 units instead. They are not impeding any ingress or egress to someone else's property, so it will not impact traffic.

Alayna Williamson, who lives in Kaysville currently and owns the property, addressed the Council. They bought the lot five years ago with the intention of building their dream home on it. However, building costs increased so much that they can no longer afford to carry out their initial plans. The costs and economy are pricing single families off that piece of property. In the past five years of owning that property, they have had multiple unsolicited offers to purchase the property. They do not want to adversely affect the neighbors, and they are being selective of who develops that property. She is passionate about affordable housing in Utah.

Mayor Talbot opened the Public Hearing.

Chris Roybal (1267 W 1875 N., Farmington, Utah) has lived immediately west of the property in question for 18 years. All the properties to the west are on 1-acre lots with large homes. This

property should be zoned for large single-family residential homes. He provided **Petersen** with a signature containing 45 signatures. He is a professional economic development director, and this is about not matching the surrounding single-family residential.

Cindy Roybal (1267 W 1875 N., Farmington, Utah) was on the Planning Commission when it master planned the City's General Plan. The townhomes will tower over the dentist's office across the street. It will not be a buffer, but will be a monolith. Each unit gets four spaces for cars, and all of those cars will access the property on a single lane next to her kitchen, swimming pool, deck and back yard. It is not a buffer to the NMU zone across the street. She will see only garage doors from her house.

David Gillies (1222 Oakridge Park Drive, Farmington, Utah) lives directly south of the development, one street over. He agrees what the Roybals said. When 40 cars are added, it impacts traffic off 1075 West to the main street. It may need another stop light there. The slope is steep and may not be able to hold the run off, causing flooding on their neighbors.

Sam Noel (1262 Carston Court, Farmington, Utah) said all neighbors on Carson Court have kids or grandkids that run along the back yards in privacy that would be impacted by this development. NMU is on the table right now, and he does not feel that is appropriate. It would affect the neighbors' kids and grandkids. He agrees with the Planning Commission's initial denial.

Rob Potter (1228 Carston Court, Farmington, Utah) lives directly south of the proposed project. Six months ago they considered moving or remodeling their house. They chose to stay and remodel. If they had had an idea this proposal would be coming forward, they would have sold their home instead. He feels he will lose \$250,000 worth of value on their home. He has nine grandchildren and he would be nervous with them running around near townhomes that are three stories high. He hopes the Council will deny this, so that the neighboring properties will not lose value.

Larry Olsen (1289 W 1875 North, Farmington, Utah), lives two lots to the south of the property. He has lived there 40 years. He is opposed to this proposal and worried about traffic.

Poulette Olsen (1289 W. 1875 North, Farmington, Utah) said she has seen a lot of changes to Farmington over the years. She thinks the property in question should be rezoned to residential. She is concerned for safety. The nearby church will not let traffic exit near the corner. This is not a good area for a multifamily project.

Brent Romney (1252 Carston Court, Farmington, Utah), lives below and to the west of the proposed project. He said a development there is a right of the property owner. The proposed density and height is not appropriate. The traffic to that one lot is of concern. He is worried that promises made will not be kept.

Meghan Reimann (1242 Carston Court, Farmington, Utah), is mainly concerned with the parking situation. Cars will park along 1075 West, which is unsafe. She opposes this development.

Victor Clampitt (1799 N. Carston Court, Farmington, Utah) has lived here 20 years. He is concerned with parking and safety. The proposed building will be 150 feet tall next door to him. He is worried for the safety of the area children, and wants to avoid people parking on 1075 West.

Jay Ostler (1222 Carston Court, Farmington, Utah) has lived adjacent to the property for 2.5 years. Their views and privacy would be negatively affected. He has safety concerns on that street. It is not a necessary amendment. The correct zoning is single family residential, which would match the surrounding neighborhood. It is not in the public interest because so many people oppose this.

Tyler Erickson (1557 Oakridge Park Drive, Farmington, Utah) shares the same concerns: traffic, parking, heights, and not the right fit. He has reservations about the requested zone. There could be condos, a fast food restaurant or gas station. He is adamantly opposed to changing the zoning.

Mayor Talbot said there were several written notices to the City from neighbors. They will be made part of the public record.

Matthew Rodgers (1919 W. Old Fort Road, Farmington, Utah) lives on the west side of the development. He has lived on a half-acre lot in the City for 15 years. In the future, he hopes to live on a smaller lot when he doesn't want to deal with as much yard work. He doesn't feel 10 homes will create too much of a traffic concern. He would like to buy a townhome there in the future, and another for his mother. The zoning request is a concern. He feels the safety concerns have been blown out of proportion. Something other than a single-family home is likely to be built there, and he would rather it be something like this.

Sandra Weeks (1199 Oakridge Park Dr., Farmington, Utah) said the garages would be used for storage rather than parking. The homes don't have basements and the residents will be parking in the driveway. The front doors of the townhomes will be on 1075 West, so cars are likely to park on that street. The views will be diminished for not only homeowners, but also motorists.

Cheryl Landheim (1622 St. Andrews Drive, Farmington, Utah) objects to the 10 units for the many reasons stated earlier by others. When she moved in, they changed the slope of Highway 89. There was terrible flooding that year because of the road change. She is afraid the development will cause the houses below to have flooding problems. A 10-plex is not appropriate on this corner.

Mayor Talbot closed the Public Hearing.

Petersen said if the property was zoned residential, there could be up to four single-family homes on the one-acre property in question. The possible uses in NMU are neighborhood include services, grocery store, convenience stores, and offices. The Planning Commission deliberated for quite a while on this. They agreed this is not a good spot for typical single-family homes. Those facing 1075 West would forever be orphans disconnected from the neighborhood. It is on a bend and a hill with a steep incline. They felt there were too many units proposed. They encouraged the idea of a PUD with four units.

If it is denied at the Planning Commission level, there are two options: The applicant can withdraw the application and resubmit something with less density, or they could go forward to the City Council. The applicant chose to come forward to the City Council tonight. A rezone and a change to the General Plan to enlarge the NMU zone across the street is what is on the agenda tonight. The General Plan does not need to be amended, although it is strongly recommended. It is currently zoned Agriculture (A), or one-acre lots for the one-acre piece of property. Getting four lots on the property would require a zone change.

Councilman **Brett Anderson** said according to the code, the Planning Commission looks as if it was reasonably necessary, or essential. That is interesting to satisfy. If it is in the public interest must also be considered. This is contextual and difficult to address. The amendment is consistent with the General Plan, and that is why the applicant needs it changed. The City Council decides if the zoning is appropriate and in accordance with the General Plan. The Planning Commission said it didn't meet the three steps it was presented with. This is land people have built their homes around and they believed it was zoned agricultural. The scales are tipped against the change, and he is struggling with this decision.

Councilwoman **Amy Shumway** said she lives right by this hill and has walked it for 10 years now. She would love to see this area developed. She feels the road is the buffer, not 10 townhomes next to single-family homes. The traffic issue is the site distance, and there will not be four drivers in each townhome. She doesn't believe property values will decrease due to the proposed use. She likes the idea of having multiple single-family homes there. The density is too high for this lot.

Councilman **Scott Isaacson** said the rezone is necessary unless there will only be one single-family home built there. Part of living in a community is allowing neighbors their right to develop. Overall the interest of the whole city should be considered, and there is a need for affordable housing in Farmington. However, they should not be concentrated all in one area. They should be interspersed. He does not want driveways accessing the 1075 West frontage road. The main access should be from 1875 on the north. He has walked the property, and there is a lot of buffer and trees. He is not in favor of the zone change, as it is the wrong zone. Tonight, he suspects that request will be denied. To the neighbors and applicants, he would like to say he wants a less dense, multifamily development there.

Councilman **Shawn Beus** said the Council's standard of review was helpful to hear from **Anderson**. The 10 units isn't as appropriate here as it is in other places. The General Plan threshold has not been met, and is a high hurdle to overcome. More multifamily units are needed in the community, so he can see both sides.

Councilwoman **Rebecca Wayment** thanked those members who came back and responded during the public hearing. She knows it is difficult for residents to have things change around them in their neighborhoods. However, diversity is good. There are not a lot of estate lots left in Farmington. This is an estate lot on a busy road near a busy intersection by a church, dentist and mortuary. She is not sure anyone will build a one-acre dream home there. However, the NMU zone is not the appropriate zone. Leaving it zoned Agriculture doesn't make sense either. She

feels the proposal is a bit too dense. She wants to address slope and drainage issues, as well as sight lines that would fit in better. She would like to see it zoned residential with an appropriate density.

Mayor Talbot said the proposal doesn't act as a buffer. The buffer is a road. The dental office across the street is in a hole 15 feet lower than anything else. This is not appropriate for an NMU zone. He would like to see it as a large residential lot. If he had a vote, he would not vote for a zone change, as it is not appropriate. He would not like to entertain 10 units there. The developer presented a good presentation. He gets anxious when voting against the Planning Commission recommendation.

Petersen said if it is denied tonight, the applicant can reapply with a new application immediately if it is for a different zone. However, they cannot reapply for the NMU zone for another year following denial.

Motion:

Isaacson moved that the City Council deny the application to amend the Future Land Use Map of the General Plan to re-designate the property from Low Density Residential (LDR) to Neighborhood Mixed Use (NMU) and to rezone the property from Agriculture (A) to NMU.

Shumway seconded the motion. All Council members voted in favor, as there was no opposing vote.

OLD BUSINESS:

Code Amendment—Trails Committee Chairperson Appointment

Petersen presented this agenda item. The committee bylaws said the chair could serve from one to three years, but the ordinance says appointment from the mayor for one year that can be renewed. After consulting the City Attorney, it was decided that the wording between the two is consistent. **Brad Macdonald** will be serving as the Trails Committee Chairman. **Shumway** noted that his name is with a lowercase "d." **Mayor Talbot** said he would like to review the appointment each year.

City Attorney **Todd Godfrey** said he reviewed the provision of the bylaws and did not see it as an inconsistency. The original appointment is with the approval of the City Council, while the annual renewal is per the Mayor's appointment. If the chair wants to serve for a fourth year, it would have to be approved by the City Council again.

Motion:

Shumway moved that the City Council approve the ordinance amending Section 3-3-060 subparagraph C of Title 3, which amendment provides that the Mayor appoint the Chair of the trails committee and not the committee as set forth in the existing code.

Beus seconded the motion. **Godfrey** said that because this is an approval of an ordinance, a roll call vote should be taken. **Anderson, Wayment, Isaacson, Shumway, and Beus** all voted in favor.

Eastwood Estates 2nd Amendment Plat Amendment-Lots 19 and 20

City Planner **Shannon Hansell** presented this agenda item. This was previously considered on December 1, 2020. Staff asked the City to table the item then because there was a “No Build” zone on the 30 percent slope lot. The recommendation was to approve the plat amendment and any changes to the “No Build Area” would be approved later after the plan has been received. Once Staff sees a site plan, changes could be considered. She suggested approving the plat amendment pending the approval of the site plan. The confines of the “No Build Area” would be determined by Staff.

Petersen said a lot of fill has been brought in on Lot 19. The developer surveyed and staked it. City Engineer **Chad Boshell** said it is irreversible, and the “No Build Area” will need to be adjusted.

Motion:

Anderson moved that the City Council approve the East Brentwood Estates 2nd Amendment Plat Amendment Lots 19 and 20, pending the approval of a site plan to determine the confines of the “No Build Area” and any changes that may be made to it, as determined by Staff.

Wayment seconded the motion. All Council members voted in favor, as there was no opposing vote.

Farmington Overlook LLC Improvement Agreement

Mayor Talbot said usually the release of a cash bond is a consent item.

Motion:

Beus moved that the City Council approve the Improvements Agreement (Cash Bond) between Farmington Overlook LLC and Farmington City, for the Farmington Overlook Development.

Isaacson seconded the motion. All Council members voted in favor, as there was no opposing vote.

Fiscal Year 2020 Comprehensive Annual Financial Report (CAFR) and Audit Report Review and Acceptance

Finance Director **Greg Davis** presented this agenda item. Ulrich and Associates acted as auditors for this report. Fiscal Year 2020 (FY2020) was a challenging year due to the COVID virus, with impacts on sales tax revenues, although not as serious as anticipated. The Cares Act brought in some much-needed revenue, or \$2.1 million in unanticipated funds. Some of this was recorded as revenue in the last fiscal year as \$746,000 for public safety wages. Other revenues were better than budgeted, and departments performed under budget.

Ulrich and Associates Manager **Kaela Cornwell** and Partner **Mike Ulrich** addressed the Council. **Cornwell** said it was a successful audit year. City staff provided scanned copies of everything to the auditor this year, due to COVID restrictions. The Independent Auditor’s Report is found on page 17 of the 138-page report. It is an unqualified opinion, which is a clean

opinion marking that the financials represent the position of the City at the end of the fiscal year. There were not material errors that need to be reported. The management section and analysis has a great overview of the financial statements. Page 38 is the balance sheet for the governmental fund including the general fund, special revenue fund, capital projects, etc. It lists assets, receivables, liabilities and fund balances going forward to the next year. There are state laws that limit how much can accumulate in the fund balance. Less than 25 percent of the general fund should be kept in the fund balance. This year Farmington was slightly over that due to the Cares Act funding, at 26.5 percent. She asked the Council to keep an eye on that. They are looking for a positive fund balance in each fund at the end of the year. **Mayor Talbot** said that is a good problem to have.

Cornwell said that on page 40 is revenues and expenditures, or an income statement. In the general fund, it was \$1 million more in revenues compared to the year before due to the Cares Act money. Expenditures were in line with prior years, with a slight increase. Most funds showed a positive net change for the year. The park fund expenditures were planned for. Page 42 is a detailed analysis of the general fund comparing actual to budgeted items. All departments kept within their yearly budgets. Page 45 is proprietary funds such as utilities and recreation. This is a balance sheet with receivables and liabilities. These funds are usually run like a business, and the audit looked to see if the City was collecting enough to cover what it costs to run the programs. There is a loss from an operating standpoint. Impact fees and developer contributions make up the difference. What it takes from the general fund to run the recreation fund was included in the audit. The transportation and recreation funds showed a decrease in revenue. Page 90 shows the smaller governmental funds. Pages 92 and 93 shows the incomes for those funds. All ended in a positive fund balance for year end and within budget. A 10-year comparison shows the growth in the City, including the effects of Station Park, which is showing increased revenue.

Mayor Talbot said he remembers when the fund balance was as low as 8 percent, which drove him crazy. The fund balance rose after Station Park. His goal for the last 17 years has been that after build out, the City doesn't have to rob Peter to pay Paul or tax residents to death.

Motion:

Anderson moved to receive the presentation by the independent auditor firm regarding the City's Comprehensive Annual Financial Report (CAFR) for the fiscal year ended June 30, 2020, and the auditor's audit report.

Wayment seconded the motion. All Council members voted in favor, as there was no opposing vote.

SUMMARY ACTION:

Minute Motion Approving Summary Action List

The Council considered the Summary Action List including approval of minutes from December 1, 2020, and December 15, 2020. **Shumway** said the name Brad Macdonald should be corrected,

without a capital “D.” She clarified that the reference to both ambulance and paramedic services separately was correct in the December 1, 2020 minutes. **Pace** confirmed that it was correct.

Motion:

Shumway moved to approve the Summary Action list items as noted in the staff report, including changing the spelling of Brad Macdonald’s name.

Anderson seconded the motion. All Council members voted in favor, as there was no opposing vote.

GOVERNING BODY REPORTS:

City Manager Report

Pace presented the Fire Monthly Activity Report for November.

Mayor Talbot and City Council Reports

Beus said there are interviews tomorrow for three Historic Preservation Commission applicants in the conference room. If all three are brought on, it will bring the Commission to its maximum capacity of seven.

Isaacson said thank you for the fireworks at the fairgrounds. **Mayor Talbot** said it was a last-minute thing with the cooperation of the County.

Shumway reminded to check with the Black’s and Hart’s and their trail easements on the creek as mentioned in the minutes. **Petersen** was asked to follow up on that.

Mayor Talbot said there is no update on the UDOT land acquisitions. He said they have been working hard with UDOT for years with the residents in the west who will be affected. This has been the topic of several past campaigns. The City needs something for the disruptions, and he felt it was not where it needed to be. He took a harder stance lately because he is not happy, and let UDOT know he is not working with them anymore. Each party provided appraisals of the land in question, one as low as \$190,000. UDOT put in \$190,000 in exchange for access to the property. Yesterday UDOT put \$2.5 million in an account as a gesture of good faith. He was happier with that and said that \$190,000 was an insult. He warned that he is not inclined to settle for \$2.5 million.

Anderson asked about a Council review of a Planning Commission zone change recommendation. **Godfrey** said a court would review the Council action to see if there is a rational or reasonable basis for the decision. There may be an ordinance amendment proposed. Right now the standard of review is different for the Planning Commission and Council.

Isaacson said regarding the trail with the Blacks, he has several neighbors upset with what is going on. He would like to talk to **Pace** about it. **Mayor Talbot** said he would like **Petersen** in the discussion as well.

Anderson said he is exploring the possibility of running for the upcoming Mayor position, and he would like to serve only one term. He asked the Council if they would support him in this

endeavor. **Mayor Talbot** said he would support it, as **Anderson** has been Mayor Pro Tem for two years, was on the Planning Commission for five years, and has been on the Council for five years. He said the Mayor is a big job that requires daily work. **Pace** can't really endorse any candidates.

Mayor Talbot encouraged Council members to have a second person along if they are meeting with someone. He would like them to have more defense than taking each other for their word. **Pace** said he is happy to be a second person in any meeting.

CLOSED SESSION

Motion:

Beus made the motion to go into a closed meeting for the purpose of competency and character of an individual. **Shumway** seconded the motion, which was unanimously approved.

Sworn Statement

I, **Jim Talbot**, Mayor of Farmington City, do hereby affirm that the items discussed in the closed meeting were as stated in the motion to go into closed session and that no other business was conducted while the council was so convened in a closed meeting.

Jim Talbot, Mayor

Motion:

Rebecca Wayment made a motion to reconvene to an open meeting. The motion was seconded by **Bret Anderson**, which was unanimously approved.

ADJOURNMENT

Motion:

Amy Shumway made a motion to adjourn the meeting. **Scott Isaacson** seconded the motion, which was unanimously approved.

Heidi Bouck, Recorder